REMARKS/ARGUMENTS

The claims are 1-7, 9-13, and 15-16. Claim 15 has been amended to include the recitations previously added to claim 1 in Applicant's Amendment in Response to First Office Action filed December 22, 2003. Reconsideration is expressly requested.

Except for claim 16, which was allowed, all claims have been rejected under 35 U.S.C. § 103(a) in view of *Moe U.S. Design Patent No. DES. 249,225* and newly cited *Alonso U.S. Patent No. 6,397,431* alone (claims 1-6, 7, 9, 10, 11 and 15) or further in view of newly cited *Mitchell et al. U.S. Patent No. 4,825,509* (claims 3 5, 10 and 13).

Essentially, the Examiner's position was (1) that *Moe* discloses a jamb bracket recited in the rejected claims except for explicitly teaching the securing means being located between the attached and unattached ends of the arm structure, (2) that *Alonso* teaches what is called the old and well known concept of providing securing means for an arm structure as recited in the claims, and (3) that it would have been obvious at the time the invention was made to have modified the design of *Moe* in this way for the purpose of achieving an alternate bracket design that can be stamped from a single piece of sheet metal. The *Mitchell* et

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- 9 -

al. patent is cited as teaching the general concept of securing segments for fitting around edges or corner regions as a way of securing an element, and the remaining features recited in the dependent claims are considered within the skill of the art.

This rejection is respectfully traversed.

As set forth in claim 1 and in claim 15 (as amended), Applicant's invention provides a jamb bracket for a door closing system including a basal element extending perpendicularly outward, above and below the attached end of at least one arm structure. This basal element extends, as shown in FIGS. 1 and 2, at least along a line of intersection between the basal element and the at least one arm structure. The at least one arm structure has a connecting segment uniting the top and bottom portions of the at least one arm structure at a location between the attached and unattached ends. In this way, a jamb bracket for a door closing system is provided which provides for greater stability and greater strength for the entire door closing system and permits the jamb bracket to be fabricated from a single metal sheet.

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- 10 -

Contrary to the Examiner's position, not only does *Moe* fail to disclose a connecting segment located between the attached and unattached ends of the arm structure, but *Moe* also fails to disclose a basal element extending above and below the arm bracket along the line of intersection between the basal element and the at least one arm structure. Instead, the *Moe* patent shows a bracket that will readily twist and has no structural stability as the arms are punched out of a plate leaving an open space in the basal element along the line of intersection between the basal element and the arm structure.

The defects and deficiencies of *Moe* are nowhere remedied by the secondary references to *Alonso* and *Mitchell et al.* *Alonso* shows a spring assembly in which a clip plate 60 is attached to a door jamb bracket 61. Contrary to the Examiner's position, the clip plate and door jamb bracket are separate pieces not formed from a single piece of sheet metal. Although the top of the door jamb bracket 61 in *Alonso* is shown to have a cross piece that may well have been formed from a single piece of metal with the rest of door jamb 61, there is simply no way that the *Moe* design could be modified to have this securing piece and still be stamped from a single piece of sheet metal. If such a connecting segment were formed from a single sheet of metal in *Moe's* structure, *Moe* would

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- 11 -

be unable to punch his arms out from the plate. Conversely, it
one were to complicate the simple arrangement taught by Moe by
adding a connecting segment after stamping out the arms, as
suggested by the Examiner, one would achieve a door closer
bracket that would be highly susceptible to having the arms torn
off from the plate due to the lack of structural staibility and
the propensity of the Moe structure to readily twist. In
addition, one would still not achieve the structure recited in
Applicant's claims 1 and 15 in which a basal element extends
perpendicularly outward, above and below the attached end of at
least one arm structure at least along the line of intersection
between the basal element and the at least one arm structure.

Mitchell et al. is even further afield. Mitchell et al.
discloses a reinforcement hinge repair kit in which a reinforcing
brace is intended to slide over a door to reinforce or refasten
an existing hinge that is loose. This arrangement has no
relation to a jamb bracket nor could Mitchell et al.'s
reinforcement hinge be used on a jamb. Unlike Applicant's
invention, moreover, the Mitchell et al. hinge repair kit is not
designed to make sure that the door stantion or jamb bracket does
not come out of the jamb when placed under stress. In any event,
the structure shown in Mitchell et al. would not work on a jamb

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- 12 -

bracket because of the extra thickness of the U-channel which would bind the door and prevent the door from closing correctly. Accordingly, Applicant respectfully submits that claim 1 and claim 15, as amended, and claims 2-7 and 9-13, which depend on claim 1, are therefore patentable, along with claim 16, which the Examiner has previously indicated contained allowable subject matter.

In summary, claim 15 has been amended. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,
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I hereby certify that this correspondence is being sent by facsimile-transmission to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 17, 2004.

Frederick J. Dorchak

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- 13 -